

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, FEBRUARY 1, 2022**

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Lent, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Lyndsey Lewis, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 31, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 31, 2022

The EDUCATION Committee reports out [H 443](#) with the recommendation that it do pass.

THAYN, Chairman

[H 443](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 31, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Thomas Baskin III of Garden City, Idaho, was reappointed to the Idaho Industrial Commission to serve a term commencing January 13, 2021, and expiring January 13, 2027.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 31, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Gary Osborn of Troy, Idaho, was appointed to the Idaho Transportation Board to serve a term commencing December 1, 2021, and expiring January 31, 2022.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

January 31, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Gary L. Osborn of Troy, Idaho, was reappointed to the Idaho Transportation Board to serve a term commencing February 1, 2022, and expiring January 31, 2028.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Transportation Committee.

January 31, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Margaret Henbest of Boise, Idaho, was reappointed to the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2021, and expiring April 10, 2025.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 31, 2022

The Honorable Janice McGeachin
President of the Senate
Idaho State Senate

Dear Madam President:

I have the honor to inform you that John Hammond of Boise, Idaho, was appointed to the Public Utilities Commission to serve a term commencing January 31, 2022, and expiring January 13, 2027.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,
/s/ Brad Little
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 31, 2022

Dear Madam President:

I transmit herewith [H 444](#), [H 445](#), [H 454](#), and [H 446](#), which have passed the House.

MAULIN, Chief Clerk

[H 444](#), [H 445](#), [H 454](#), and [H 446](#) were filed for first reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1250

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO PUBLIC RECORDS; AMENDING SECTION 74-103, IDAHO CODE, TO PROVIDE FOR PUBLIC RECORDS REQUESTS TO BE MADE TO CUSTODIANS OF PUBLIC RECORDS; AMENDING SECTION 74-114, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING CHAPTER 1, TITLE 74, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 74-126, IDAHO CODE, TO PROVIDE THAT THE LEGISLATIVE SERVICES OFFICE IS THE CUSTODIAN FOR LEGISLATIVE RECORDS AND TO PROVIDE THAT A PUBLIC RECORDS REQUEST FOR THE LEGISLATURE SHALL BE MADE TO THE

LEGISLATIVE SERVICES OFFICE; AMENDING SECTION 74-126, IDAHO CODE, TO REDESIGNATE THE SECTION; AND DECLARING AN EMERGENCY.

S 1251

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO THE EXCHANGE OF STATE LANDS; AMENDING SECTION 58-138, IDAHO CODE, TO REVISE PROVISIONS REGARDING IMPAIRMENT TO TITLE, TO PROVIDE FOR WRITTEN AGREEMENT OF CERTAIN PERMITTEES AND PRIVATE RIGHT HOLDERS PRIOR TO THE EXCHANGE OF FEDERALLY MANAGED LANDS, TO SPECIFY CERTAIN PRIVATE RIGHTS, TO PROVIDE FOR DAMAGES, TO PROVIDE FOR OBJECTIONS, AND TO PROVIDE THAT SUBSEQUENT PERMITS MUST BE AUTOMATICALLY OFFERED TO CERTAIN PERMITTEES AND LESSEES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1252

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO THE TAYLOR GRAZING ACT; AMENDING SECTION 25-901, IDAHO CODE, TO REVISE PROVISIONS REGARDING GRAZING PREFERENCE RIGHTS; AMENDING SECTION 25-902, IDAHO CODE, TO REVISE PROVISIONS REGARDING GRAZING PREFERENCE RIGHTS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1253

BY EDUCATION COMMITTEE AN ACT

RELATING TO THE WORKFORCE DEVELOPMENT COUNCIL; AMENDING SECTION 72-1202, IDAHO CODE, TO REMOVE A PROVISION REGARDING EMPLOYMENT BY THE STATE OF IDAHO; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1250](#), [S 1251](#), [S 1252](#), and [S 1253](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 444](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 445](#) and [H 454](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 446](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Moved by Senator Zito, seconded by Senator Burgoyne, that [H 436](#) be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senator Burgoyne, and was supported by Senators Stennett and Ward-Engelking.

Roll call resulted as follows:

JANICE MCGEACHIN, President

AYES–Burgoyne, Nelson, Nye, Semmelroth, Stennett, Ward-Engelking, Wintrow, Zito. Total - 8.

Attest: JENNIFER NOVAK, Secretary

NAYS–Agenbroad, Anthon, Bayer, Blair (Johnson), Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, VanOrden (Bair), Vick, Winder, Woodward. Total - 26.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared that the motion to refer [H 436](#) to the Fourteenth Order of Business for amendment did not prevail.

[H 449](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Crabtree arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 449](#) passed, title was approved, and the bill ordered returned to the House.

[H 436](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Bayer, Blair (Johnson), Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lodge, Martin, Patrick, Rice, Ricks, Riggs, Souza, Thayn, VanOrden (Bair), Vick, Winder, Woodward, Zito. Total - 27.

NAYS–Burgoyne, Nelson, Nye, Semmelroth, Stennett, Ward-Engelking, Wintrow. Total - 7.

Absent and excused–Lent. Total - 1.

Total - 35.

Whereupon the President declared [H 436](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:40 p.m. until the hour of 11:15 a.m., Wednesday, February 2, 2022.